## UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Norfolk Division

CSX TRANSPORTATION, INC.,	)	
individually and on behalf of NORFOLK	)	
& PORTSMOUTH BELT LINE	)	
RAILROAD COMPANY,	)	
	)	
Plaintiff,	)	
	)	
V.	)	Case No. 2:18-cv-530
	)	
NORFOLK SOUTHERN RAILWAY	)	
COMPANY, et al.,	)	
	)	
Defendants.	)	
	)	
	)	
	)	

### DEFENDANTS' JOINT MOTION TO FILE DOCUMENTS UNDER SEAL

Pursuant to Local Civil Rule 5(C), Defendants Norfolk & Portsmouth Belt Line Railroad Company ("NPBL") and Norfolk Southern Railway Company ("NSR") (collectively, "Defendants"), by counsel, move the Court for an order sealing Defendants' unredacted Memorandum in Support of Joint Motion to Compel Depositions of CSXT Witnesses ("Joint Motion to Compel"), together with Exhibits A, B, C, F, G, H, I, J, and M to Defendants' Memorandum in Support of Joint Motion to Compel. In support of this Motion, Defendants submit contemporaneously a nonconfidential Memorandum in Support of Motion to File Documents Under Seal. Defendants have also filed herewith a Notice of Filing Sealing Motion as required by Local Rule 5(C). Defendants waive oral argument on this motion. A proposed order granting the requested relief is attached as **Exhibit A**.

Dated: January 21, 2021 Respectfully submitted,

# NORFOLK & PORTSMOUTH BELT LINE RAILROAD COMPANY and NORFOLK SOUTHERN RAILWAY COMPANY

#### /s/ W. Ryan Snow

James L. Chapman, IV, Esq.

W. Ryan Snow, Esq.

Darius K. Davenport, Esq.

David C. Hartnett, Esq.

Alexander R. McDaniel, Esq.

CRENSHAW, WARE & MARTIN, P.L.C.

150 W. Main Street, Suite 1500

Norfolk, Virginia 23510

Telephone: (757) 623-3000

Facsimile: (757) 623-5735

Email: jchapman@cwm-law.com Email: wrsnow@cwm-law.com Email: ddavenport@cwm-law.com

Email: dhartnett@cwm-law.com Email: amcdaniel@cwm-law.com

Attorneys for Norfolk and Portsmouth Belt Line Railroad Company

### /s/ Alan D. Wingfield

Alan D. Wingfield (VSB No. 27489)

Michael E. Lacy (VSB No. 48477)

Massie P. Cooper (VSB No. 82510)

TROUTMAN PEPPER HAMILTON SANDERS, LLP

1001 Haxall Point

Richmond, Virginia 23219

Telephone: (804) 697-1200

Facsimile: (804) 698-6061

Email: alan.wingfield@troutman.com Email: michael.lacy@troutman.com

Email: massie.cooper@troutman.com

John C. Lynch (VSB No. 39267)

Kathleen M. Knudsen (VSB No. 90845)

TROUTMAN PEPPER HAMILTON SANDERS LLP

222 Central Park Avenue, Suite 2000

Virginia Beach, VA 23462

Telephone: (757) 687-7759 Facsimile: (757) 687-7510

Email: john.lynch@troutman.com

Email: kathleen.knudsen@troutman.com

Monica McCarroll (VSB No. 45622) REDGRAVE LLP 14555 Avion Parkway, Suite 275 Chantilly, Virginia 20151 Telephone: (703) 592-1154 Facsimile: (703) 230-9859

Email: MMcCarroll@redgravellp.com

Tara L. Reinhart
John R. Thornburgh II
Thomas R. Gentry
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
1440 New York Avenue, N.W.
Washington, DC 20005
Telephone: (202) 371-7000
tara.reinhart@skadden.com
john.thornburgh@skadden.com
thomas.gentry@skadden.com

Attorneys for Norfolk Southern Railway Company

#### **CERTIFICATE OF SERVICE**

I hereby certify that on January 21, 2021, I electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which sent a notification of such filing (NEF) to the registered participants as identified on the NEF to receive electronic service, including:

Robert W. McFarland, Esq.
Benjamin L. Hatch, Esq.
V. Kathleen Dougherty, Esq.
McGuireWoods LLP
World Trade Center
101 West Main Street, Suite 9000
Norfolk, Virginia 23510-1655
Telephone: (757) 640-3716
Facsimile: (757) 640-3930

Email: rmcfarland@mcguirewoods.com Email: bhatch@mcguirewoods.com Email: vkdougherty@mcguirewoods.com

J. Brent Justus, Esq.
Ashley P. Peterson, Esq.
McGuire Woods LLP
800 East Canal Street
Richmond, Virginia 23219-3916
Email: bjustus@mcguirewoods.com
apeterson@mcguirewoods.com

Attorneys for CSX Transportation, Inc.

#### /s/ Alan D. Wingfield

Alan D. Wingfield (VSB No. 27489)
Michael E. Lacy (VSB No. 48477)
Massie P. Cooper (VSB No. 82510)
TROUTMAN PEPPER HAMILTON SANDERS, LLP 1001 Haxall Point
Richmond, Virginia 23219
Telephone: (804) 697-1200

Telephone: (804) 697-1200 Facsimile: (804) 698-6061

Email: alan.wingfield@troutman.com Email: michael.lacy@troutman.com Email: massie.cooper@troutman.com

Attorneys for Norfolk Southern Railway Company